

## REMARKS

In the Office Action, claims 1-28 were pending. Claims 1, 4, 6-7, 9, 12-13, 18, 23, 25, and 27 are amended, claims 5, 8, 10-11, 14-17, and 26 have been cancelled, and claims 29-32 are new. Reconsideration and allowance of the pending claims is respectfully requested in view of the amendments and the following discussion.

### 1. Double Patenting

Examiner alleges claims 1-28 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-21 of co-pending Application No. 10/751,089 (herein the '089 application).

A reliable test for statutory double patenting is whether an embodiment of the invention falls within the scope of one claim, but not the other, and if there is such an embodiment, then identical subject matter is not defined by both claims and statutory double patenting would not exist. MPEP 804(II)(A). Claims 1-21 of the '089 application do not recite the display of claim 1 in this application. Accordingly, reconsideration and withdrawal of the statutory double patenting rejections is requested.

### 2. Rejection in view of Cited Prior Art

Claim 1 as amended recites a system that includes a first processor to receive position information pertaining to a position of a probe inside the body of a patient; and a second processor to receive patient information comprising at least two of the following types of information pertaining to the patient: blood pressure, temperature, respiratory rate, pulse oximetry, and respiratory CO<sub>2</sub> concentration; and the first and second processors coupled in communication with one another and a display. The patient information is acquired at a same time as the position information, and the display being configured to simultaneously display the position information and the patient information.

None of the cited references teach or suggest the limitation of the first processor in communication with the second processor and the display, where the patient information is acquired at a same time as the position information, and the display being configured to simultaneously display the position information and the patient

information, as recited in claim 1. The Examiner cites U.S. Publication No. 2005/0288571 to Perkins et al. Applicant points out that this particular reference is a continuation-in-part of U.S. Publication No. 2004/0186357 to Soderberg et al. (herein the Soderberg et al. publication), and the former is not available as prior art in view of the filing date of this application. Therefore, Applicant will refer to the Soderberg et al. publication hereafter.

The Soderberg et al. publication merely discloses a medical diagnostic cart 10 that includes an opening for a wireless link 96 to bar-code scanner 90. Paragraph 87. The Soderberg et al. publication does not disclose coupling the cart 10 in communication with a processor to receive position information of an internal probe acquired at the same as the patient information for simultaneous illustration in a display. No other reference teaches this limitation. The cited references do not teach each and every limitation of the claimed invention. For at least this reason, reconsideration and allowance of claim 1 is requested.

Claims 2-4, 6-7 and 29 depend from claim 1 and are believed allowable for the same reasons that claim 1 is believed allowable. Claims 2-4, 6-7 and 29 may include patentable subject matter in addition to that recited in claim 1. For example, none of the cited references disclose the system as recited in claim 1 where the patient information includes a respiratory CO<sub>2</sub> concentration, as recited in claim 6. In another example, none of the cited references disclose the system as recited in claim 1 that includes, inter alia, a first portion of the display that illustrates the position information and a second portion of the display that illustrates the patient information, as recited in claim 7. In yet another example, none of the cited references disclose the system as recited in claim 1 that includes, inter alia, a docking station to couple the first processor the second processor and the display.

Claim 9 as amended recites a system that includes an electrophysiology module to receive a position information of a probe and an electrical information pertaining to a heart, the electrical information being sensed using the probe positioned inside the heart; a patient monitoring module to receive a position information pertaining to a position of the probe, the patient information comprising at least two of the following types of

information pertaining to the patient: blood pressure, temperature, respiratory rate, pulse oximetry, and respiratory CO<sub>2</sub> concentration; and a display communicatively coupled to the electrophysiology module. A display is communicatively coupled to the electrophysiology module and to the patient monitoring module. The patient information is acquired at a same time as the electrical and position information, and the display simultaneously illustrates the electrical information, the position information, and the patient information.

For reasons similar to those described above with respect to claim 1, the cited references do not disclose a display communicatively coupled to the electrophysiology module and to the patient monitoring module, where the patient information is acquired at the same time as the electrical and position information of simultaneous illustration at the display. No other reference teaches this limitation. The cited references do not teach each and every limitation of the claimed invention. For at least this reason, reconsideration and allowance of claim 9 is requested.

Claims 12-13 and 30 depend from claim 9 and are believed allowable for the same reasons that claim 9 is believed allowable. Claims 12-13 and 30 may include patentable subject matter in addition to that recited in claim 9. For example, none of the cited references disclose the system as recited in claim 9 where display includes a first portion and a second portion, the first portion that illustrates the a structural map of the heart, the structural map being created using the position information, and a second portion that illustrates the patient information simultaneously acquired with the position information. In another example, none of the cited references disclose the system of claim 9 that includes inter alia, a docking station that couples the patient monitoring module to the electrophysiology module as recited in claim 30.

Claim 18 is amended in a manner similar to claims 1 and 9. None of the cited references disclose the patient monitoring module and the electrophysiology module coupled in communication with each other and a display, where the patient information is acquired at a same time as the electrical and position information, and where the display configured to simultaneously illustrate the electrical information, the position information, and the patient information. Thus, the cited references do not teach each

and every limitation of the claimed invention. For at least this reason, reconsideration and allowance of claim 18 is requested.

Claims 19-22 and 31 depend from claim 18 and are believed allowable for the same reasons that claim 18 is believed allowable. Claims 19-22 and 31 may include patentable subject matter in addition to that recited in claim 18. For example, none of the cited references disclose the system as recited in claim 18 where the patient monitoring module is configured to be selectively coupled to and decoupled from the electrophysiology module as recited in claim 19. Also, none of the cited references disclose the system as recited in claim 18 where a docking station couples the patient monitoring module to the electrophysiology module, as recited in claim 31.

Claim 23 recites a system that includes inter alia, a console comprising computer components which are communicatively coupled to one or more displays and to the probe, the console including a docking station to couple the computer components configured to receive the electrical information and a position information pertaining to a position of the probe, with the computer components configured to receive a patient information comprising at least two of the following types of information: blood pressure, temperature, respiratory rate, pulse oximetry, and respiratory CO<sub>2</sub> concentration; and a display including a first portion and a second portion, the first portion to illustrate the patient information simultaneously with at least one of the electrical information and the position information illustrated in the second portion.

None of the cited references disclose a docking station to couple the computer components configured to receive the electrical information and a position information pertaining to a position of the probe, with the computer components configured to receive a patient information comprising at least two of the following types of information: blood pressure, temperature, respiratory rate, pulse oximetry, and respiratory CO<sub>2</sub> concentration. Thus, the cited references do not teach each and every limitation of the claimed invention. For at least this reason, reconsideration and allowance of claim 23 is requested.

Claims 25-28 depend from claim 23 and are believed allowable for the same reasons that claim 23 is believed allowable. Claims 25-28 may include patentable subject matter in addition to that recited in claim 23.

CONCLUSION

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

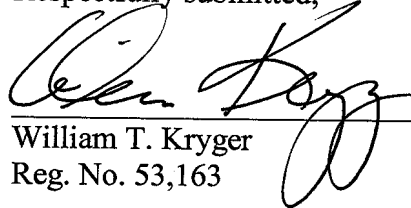
No fees are believed due with this communication. Yet, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application or credit any overpayment to Deposit Account No. 070845. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension and authorizes payment of any such extension fees to Deposit Account No. 070845.

The Examiner is invited to contact the undersigned at telephone number (262) 548-4654 if it is felt that a telephone interview would advance the prosecution of the application.

Date:

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Respectfully submitted,

  
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